

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

**ORDER**

Criminal File No. 05-219 (MJD)

(1) CHRISTOPHER WILLIAM SMITH,  
a/k/a BRUCE JOHNSON, CHRIS  
JOHNSON and ROBERT JOHNSON;  
(2) BRUCE LIEBERMAN; and  
(3) CREAGHAN HARRY a/k/a  
HARRY CREAGHAN and ED  
CREAGHAN

Defendants.

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In its submission to the Court, the Government calculates the potentially applicable Guideline range in this criminal contempt matter to be 30 to 37 months for Defendant Christopher William Smith and 24 to 30 months for Defendant Bruce Lieberman. However, the Government concedes that a sentence of 6 months or less would be an appropriate sanction if either Defendant is found guilty in this matter. Based on the Government's submission, the Court concludes that, if either Defendant is found guilty, a sanction of 6 months or less would be appropriate. Therefore, Defendants' right to trial by jury is not implicated in this matter.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**  
**HEREBY ORDERED** that:

This matter of criminal contempt shall be tried by the Court without a jury.

Dated: July 6, 2005

s/ Michael J. Davis  
Judge Michael J. Davis  
United States District Court